

The Salisbury Planning Board held its regular meeting on Tuesday, July 27, 2004, in the City Council Chamber of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Len Clark, Dr. James Johnson, Lou Manning, Brian Miller, Rodney Queen, Jeff Smith, Valerie Stewart, Albert Stout, Rev. Jerry Wilkes, and Diane Young

ABSENT: Mitzi Clement and Sandy Reitz

STAFF: Janet Gapen, Dan Mikkelson, Diana Moghrabi, David Phillips, Harold Poole, and Patrick Ritchie

The meeting was called to order by Co-Chairman Jeff Smith. The minutes of the July 13 meeting were approved as published.

COMMITTEE REPORTS

- (a) Committee 3 (J. Wilkes, ch.) Z-9S-04 Rodney Queen, 602 Hawkinstown Road
Rodney Queen was removed from the Board for this discussion.

Jerry Wilkes recapped the committee meeting and reminded the Board of the events pertaining to this case from the previous Planning Board meeting. There was a large attendance from the community for both meetings.

One of the major concerns for the community was the rental aspect verses homeownership. Mr. Queen's final compromise was to build single-story, single-family condominiums by zoning this property R-6AS, with a maximum of 56 units (down from 68 units). The committee brings the motion to the Board to zone this property R-6AS with permitted uses as well as restrictions. Mr. Queen's special use application reflects the decisions that came from the committee.

Board Discussion

Jeff Smith would like to see development and affordable housing in Salisbury. Many people did not realize that the property was zoned R-6 and would allow duplexes. The Board has a history of trying not to place multi-family units in single-family neighborhoods. He recognizes the concessions that the developer has made. It does appear to Mr. Smith that it will be an intrusion into the neighborhood. Rezoning to R-8 would be the preferred outcome.

Valerie Stewart asked to clarify that, if the Board's decision was to deny the motion, Mr. Smith is willing to run the risk of duplexes being developed on this property. Mr. Smith acknowledged that Mr. Queen's proposal is better, but he would rather see it developed as single-family. If the option were available he would like to see the property zoned R-8. **Albert Stout** agreed with Mr. Smith and would vote against the motion.

Mr. Miller thinks that the shape of the property lends itself to what has been proposed. He does not have a problem with what has been proposed, even though there could still be a better option. He did not have a problem with the original senior citizen housing, either.

Lou Manning supports the view of the neighbors but does not see where the Board has a choice. Duplexes are already allowed under the current zoning and he would rather see this proposal than rental duplexes.

Brian Miller confirmed that site plan would go through a review.

Board Decision

Z-9S-04 was approved as presented by the committee (residential or multifamily condominiums, single-story, limited to 56 units or 7 units per acre) with 7 members voting AYE and 2 voting members voting NAY. (Jeff Smith and Albert Stout voted NAY)

Rodney Queen returned to the Board.

- (b) Downtown Rezoning (B-6 to B-5) Committee (B. Miller, ch.) – Tuesday, August 3, the City Council will have a Public Hearing on the subject of B-6 to B-5 rezoning. The committee will reconvene after Council's decision has been made.
- (c) Transportation Committee (L. Manning, ch.) – Metropolitan Planning Organization (MPO) meeting from July 26 – Jerry Wilkes reported on the workshop. Rowan and Cabarrus Counties have joined and this changed our transportation plans. There will be future meetings.

Dan Mikkelsen stated that the Planning Board was in the process of making some recommendations to upgrade our thoroughfare plan when the City joined the MPO. Those recommendations have been put on hold. Phil Conrad, MPO Planner, will see that revisions get made to our thoroughfare plan. Mr. Mikkelsen explained the difference between Transportation Improvement Program (TIP) and MPO. The MPO will be making requests to the State on our behalf. Now that Salisbury is in a non-attainment area for air quality they must run a computer model that predicts what the air quality impacts of each project will be.

Brian Miller inquired about the priority of the Jake Alexander Boulevard extensions. Mr. Mikkelsen replied that the Stokes Ferry/Bringle Road roadside is in the first 10-year threshold; the extension on the northern side of town (by 601) is believed to be in the 20-year threshold.

NEW COMMITTEE ASSIGNMENTS

- (a) Small area study of North Main Street corridor from railroad tracks to Spencer city limits (Council referral) – Committee 1 (S. Reitz, ch.)
- (b) Comprehensive sidewalk study – Committee 2 (B. Miller, ch.) – Rodney Queen made a presentation to demonstrate some of the issues Salisbury is facing in regard to sidewalks. Jeff Smith volunteered as an alternate to the committee. GIS (Kathryn Clifton) will participate in locating existing sidewalks.
- (c) Downtown Committee (B. Miller, ch) Auction houses in B-5 – A request has come to the Planning Board to have an answer by the next Planning Board meeting.
- (d) Clarifications to sign ordinance – Legislative Committee A (B. Miller, ch.)
- (e) Concessions trailers/flea markets – Legislative Committee B (L. Clark, ch.) - not a part of our current Ordinance.

FUTURE COMMITTEE MEETINGS

Downtown Committee (B. Miller, ch.) will meet Friday, July 30 at 8:00 a.m. in the First Floor Conference Room at City Hall to discuss auction houses.

Downtown Committee (B. Miller, ch.) will meet Friday, August 13 at 8:00 a.m. in the First Floor Conference Room at City Hall. This meeting will be in regard to the next phase of Downtown rezoning.

All other committee meetings will be announced at a later date.

EDUCATIONAL PRESENTATIONS

Floodplains, Floodways, and Floodfringes—the Differences

Patrick Ritchie, Engineer, Subdivision Administrator, and Flood Damage Prevention Ordinance Administrator, made the presentation. He showed a FEMA map of Salisbury, featuring Grants Creek, Town Creek, and Crane Creek. He showed the floodways and floodfringes for each of the creeks. Together, the floodways and floodfringes make up the floodplain. Though the flood maps we are using were developed in 1980, we are expecting new information from the state within the next two (2) years. Patrick said over the past 26 years we have had a flood level (within the floodfringe area) as one (1) foot above the elevation shown. He said the county uses four (4) feet. In 1987 the state of North Carolina requested all cities increase the flood level from one (1) to two (2) feet above flood stage level.

Wetlands

Patrick Ritchie explained that wetlands are defined by soil and vegetation, and administration/enforcement is not through the City, but rather, through the Corps of Engineers. Frequently, wetland areas can be relocated, which was the case in Innes Street Market, where wetlands were shown on the original map as several places in what is now the parking lot. Those wetland areas were relocated to areas on site beyond where the buildings and parking are located.

Watersheds

David Phillips, Development Services Manager & Zoning Administrator, made a presentation on watersheds. Watershed Regulations are Article XIV of the Zoning Ordinance. Copies had been mailed to Planning Board members. David explained that we have watershed regulations in only a very small part of our zoning area, and that area is along and west of Enon Church Road in the far western part of our ETJ.

In response to a question from Len Clark, David explained that the county has substantial areas for watersheds, and some towns, such as China Grove, are impacted much more significantly than Salisbury.

The watershed area within the Salisbury urban area is WS-IV-PA, which has a fairly low intensity. The WS stands for watershed, the IV for the level (which runs from I, or high intensity, to IV, or low intensity), and PA, which stands for protected area. A slightly more intense area (which exists out in the county) would be WS-IV-CA, with the CA for critical area. Regulations for critical areas are stricter than are regulations for protected areas (PA).

David explained that regulations for WS-IV-PA are for maximum density are 2 units per acre, or no less than ½ acre lots, with the built-up area not to exceed 24 percent. If there is no curb & gutter system, there can be up to 3 units per acre.

OTHER BUSINESS

Senior Planner, Harold Poole bid a fond farewell to the Planning Board. Individual members shared with Harold how much they appreciated his hard work and mentoring over the past 36 years. The Planning Board awarded a gift certificate to Harold for his attendance to the NCAPA conference in Asheville this coming September. He has been attending this conference for 35 years.

There being no further business to come before the Board, the meeting was adjourned.

Co-Chairman, Jeff Smith

Co-Chairman, Rodney Queen

Secretary, Diana Moghrabi